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DAVID T. LEWIS (9)



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KITSAP

IN RE THE EMANCIPATION OF:

**Adaline Feulner**

DOB: 6/2/2007

CASE NUMBER: **23-2-01534-18**

**REPORT OF GUARDIAN AD LITEM**

**TO THE PRESIDING JUDGE OF THE SUPERIOR COURT:**

The Kitsap County Juvenile Division was appointed to investigate the petition regarding the emancipation of Adaline Fuelner. I was assigned to the case September 7th, 2023.

I have been in contact with and/or reviewed the declarations of the following people in this case: Adaline Fuelner, Lenord Fuelner (Father), Charlene Feulner (Grandmother), and Heather Wood (mother), Ms. Wood did not return my phone request, however she filed a declaration on September 10<sup>th</sup> that I used as a resource.

Adeline is 16 years old and is currently living in Port Orchard, WA. She is currently enrolled at South Kitsap High School as a sophomore. Prior to this year, Adeline was attending New Market Skill Center in Tumwater. Adeline reported that she is covered under WA State Medical under her mother's plan. On September 14th, 2023, Adeline came to the Juvenile Department, and we went through the questionnaire via an interview. She was respectful and appeared to answer truthfully and showed a willingness to cooperate and desire to prove she is self-sufficient and responsible. Adeline describes herself as outgoing, enthusiastic, timely and a team player who gets the job done.

Adeline and I met and discussed her desire to be emancipated. Adeline stated her reason was mostly because of her mother and stated, *"I think I'd be fine on my own."* Adeline shared that her and her mother had a falling out because Adeline was trying to set boundaries with her mother, there was an argument about a phone Adeline had paid for with her own money and her mother wanted to take it. *"We decided I would get emancipated because she said I was going to get kicked out and live on my own. Then she was pleading for me to stay."* Currently Adeline is living in an RV next to her grandmother's home with full access to the home. Adeline stated, *"It changed because I don't feel safe with my mom at all. My mom being extremely toxic and violent in the past. I live currently with*

*my grandma who is 93. Dad is there pretty much every day. I don't live with dad because he is staying with his girlfriend at night but spends the day at grandmas." Adeline described her upbringing with her mother as living in cars, vans, a mini school bus and that they never had a stable living situation. She continued by saying that her mother had full custody and Adeline saw her father when he came over to spend time with her. "My mom never let me go over to dads or stay at grandma's." Adeline was asked why? "She thought he was a horrible person or would take me away." Adeline described a regular day with her mother as going to school, coming back to the car, driving around doing any errands needing to be done until it was late at which time they would park and sleep for the night. Adeline stated her mother is manipulative and is constantly switching up expectations and plays mind games. She is physically abusive every now and then, she would get into an extreme rage and hit Adeline with a slap, dragging her by her hair, and Adeline stated she was too afraid to go to anyone about it. Adeline shared, "My mom didn't make me feel like I could go to the closest people to me. (crying) she made it apparent that if I told anybody what she did I would get taken away, the court is rigged, and she would never see her again. She made it feel like it would be a bad thing, but in reality, it probably would have been the best thing. she scares me. I don't feel physically or mentally safe to be around her. I don't really know; my whole life she has just instilled this fear she could do anything with me at a snap of the finger."*

Adeline explains her desire to be emancipated is because she doesn't want to continue living with her mother and her ideas or beliefs and would like to be legally separated stating, *"If I was emancipated it would be easier legally to not be forced into her care. I could work more hours with less restrictions. I'd be able to see to my own need rather than have someone else's agenda effect mine."*

**Education** – Adeline is currently attending South Kitsap High School as a sophomore. She has the intention, once she gets her license and car, to go back to her previous school in Tumwater. She has a goal of working at PSNS as a machinist or welder.

**Employment/financial affairs** – Adeline reported that she previously worked at the Great Wolf Lodge for approximately 5 months and was doing well until her mother got her fired due to an incident she and her mother had with a positive UA. This same incident is what initiated Adeline living with her grandmother presently. Currently, Adeline stated she was signing papers with Taco Bell in Port Orchard to begin working part time. No other history of employment to note. Adeline reported to me that she had less than ten dollars in her checking account. As far as transportation, Adeline reported that presently her father takes her around if needed until she can hopefully obtain her driver's license on September 30<sup>th</sup>. The plan is that her father is going to give her one of his cars, once he gets it running correctly and her grandmother is currently paying for car insurance.

**Parents** – Mr. Feulner was contacted and asked about his stance on the Emancipation. Mr. Feulner stated, *"I'm in favor of it. We have a fine relationship, but it seems the best way to go to me. It's just because of the way her mom is, who totally hates me. She's at the age now she doesn't want to do it anymore with her mother."* Mr. Feulner explained that Adeline has had a couple jobs and he has a little truck to give her once he fixes it. Mr. Feulner stated he is basically homeless presently and gets by with odd jobs here and there. *"I don't want Adeline to break away from mom, but that seems to be where it's come to. I've tried never to say anything bad about her mom. She does not want to have anything"*

*to do with her and is done with putting up with what her mom's idea of what life should be." Mr. Feulner stated that Adeline is a very good worker and gets along with people. Mr. Feulner stated, "She has always made the best of things with the life her mother has given her. I think she'll be fine on her own, I'd still be her dad, but she needs to fly on her own and that won't happen with mom."*

Contact with Ms. Wood was attempted but no reply was obtained. Ms. Wood filed a declaration that was not in agreement with the emancipation. I would defer the court to her declaration for further clarity, but a few reasons noted by Ms. Wood were; Adeline's lack of maturity, asserts that Adeline is incapable and disinclined to properly care for herself due to refusing dental care, unlawfully consuming drugs as a child, most recently 8/15/23 as well as, causing a disturbance at the courthouse. Ms. Wood wrote; *the court must assess Adeline's maturity, means of support, willingness to be responsible for her actions, truthfulness, and compliance with the law. Adeline fails to meet most, if not all of these parameters.*

Ms. Charlene Feulner who is Adeline's grandmother and with whom she is currently living was contacted. Ms. Feulner expressed that she felt the emancipation was a good think because she felt Adeline was terrified to return to her mother. Ms. Fuelner shared that Adeline was doing well taking care of herself physically and seemed to be doing well mentally by sharing that Adeline recently told her it's the first time in her life she has felt normal. Ms. Feulner again reiterated that emotionally it would be the best for Adeline to be emancipated but regardless she would always have a place to stay, *"I have enjoyed having her and she helps me a lot."*

## **CONCLUSION**

Adeline is an articulate young lady. I can see that she has experiences and maturity that some sixteen year olds may not have. She has shown that she is setting herself up for a possible successful emancipation, but the lack of any history or proof of self-support show her current readiness for such responsibility is questionable.

- *Financial Support of the Minor:* An important criterion of emancipation is how the minor is able to support themselves financially, either currently or in the future without receiving income from illegal activities or welfare. Adeline has plans but everything is just starting and there is no track record or history of supporting herself to show the court. There is very little work history to speak of, there is very little money in her account to speak of and she is still technically living off of family resources.
- *Where the minor is living:* The court will consider if the minor is currently living apart from their parents or has made adequate arrangements for future housing if granted emancipation. Adeline is currently sleeping/living in an RV with access to the home on her grandmothers property and states she can stay as long as she wants. Adeline has no other options for housing. Adeline has a food card she states she can use monthly and health insurance through the state I assume is through her mother. If emancipated, Adeline may have to seek her own health insurance and welfare services.
- *Decision Making:* The judge will want to know if the minor can adequately make decisions for themselves and may seek evidence from the minor demonstrating good decision-making skills. Adeline is capable of making good decisions however, she is newly 16 years old, and I would want

to see a longer history of making decisions for herself on a level needed to show the court her ability to be independent. As an example; Adeline spoke about her intentions of returning to her previous school in Tumwater. I expressed my concern with the commute to Tumwater from Port Orchard and Adeline didn't seem to think about not only the hours she would spend on the road but the amount of money it would cost in gas and bridge tolls every month. Add a job in the mix and I didn't see that as a mature calculated and well thought out decision. I understand her desire and reason, but again didn't see it as well thought out.

- **Maturity:** The petitioning minor is often required to prove they have sufficient maturity to function as an adult. Again, in my short interaction with Adeline, I can see her potential and her maturity is in several ways better than most other sixteen year olds. As I said above, it's just too early in my opinion to give her that responsibility. She is supported by her father and grandmother presently and I was given no reason to believe that would stop. I would also point to a possible concern that Adeline is using Marijuana. She assures that she does not, however, this is at least a question mark and something to ensure is not an issue going forward for many reasons but also, if at a later time she re-applies to be emancipated.
- **Education** Whether the minor is attending school or has already received a diploma may be considered and it may also impact their financial self-sufficiency. Adeline is a sophomore currently and stated no plans to stop attending school. She shared future goals and interests that will serve her well.
- **Abuse from the Minor's Parents:** Generally, the court will also consider the parents' behavior that resulted in the minor seeking emancipation, such as if the child experienced physical, sexual, or emotional abuse at the hands of the parents who have a legal obligation to care for the child. Adeline alleges emotional abuse and touches on some physical abuse committed by her mother. Regardless, there is conflict between Adeline and her mother and Adeline is attempting to stand on her own and separate herself from her mother. I would hope for and support some form of reunification counseling or a child in need of services petition, but I also feel it may be healthier that they are separated at least near term and allow for reunification to happen naturally and in more healthy way. Adeline has support around her currently and this may allow for Adeline to rethink or reevaluate her relationship with her mother.


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### **RECOMENDATION**

It is the recommendation of this Guardian Ad Litem that the petition for emancipation be **denied**.

1. Suggest services be explored, Child in need of services (CHINS), Functional Family Therapy (FFT), any other counseling or reunification therapy that may be available.
2. Possibly explore the extent of substance use/abuse. Complete a drug/alcohol evaluation and follow any recommendations given.

***Respectfully request the Juvenile Department be dismissed from this case.***

  
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Robert Floyd

Court Services Officer/Guardian Ad Litem

9/25/2023  
Date